

**HALE LANE PEEK
DENNISON HOWARD AND ANDERSON**

*A Professional Corporation
Attorneys and Counsellors at Law*

Edward Everett Hale
(1929-1993)
Steve Lane
J. Stephen Peek
Karen D. Dennison
R. Craig Howard
Stephen V. Novacek
Richard L. Elmore
Marilyn L. Skender
Lenard E. Schwartz
Robert C. Anderson
Richard Bennett

Alex J. Flangas
William C. Davis, Jr.
Robert D. Martin
Patricia J. Curtis
Kristin B. McMillan
Tracy I. Chase
James L. Kelly
James M. Walsh
Kelly Testolin
N. Patrick Flanagan
Matthew E. Woodhead
Michelle D. Mullins

Office Address:
100 West Liberty Street, Tenth Floor
Reno, Nevada 89501

Mailing Address:
Post Office Box 3237
Reno, Nevada 89505

(702) 327-3000
(702) 786-7900
Facsimile (702) 786-6179

Roger W. Jeppson
Lance C. Earl
Jeremy J. Nork
Robert C. Vohl
Elissa F. Cadish
Pauline Ng Lee
Kimberly A. Chadin
Timothy A. Lukas
Jeanette E. McPherson
David A. Garcia
Michele Eber
Gregg R. Verneys

Richard P. Schulze
James Newman
W. West Allen
Dania M. Severson
Sonia E. Taggart
Torry R. Somers
Patrick J. Reilly
Mark E. Trafton
Noah G. Allison

Andrew Pearl - Of Counsel
Roy Farrow - Of Counsel
Linda E. Johnson - Of Counsel

August 27, 1998

VIA U.S. MAIL AND FACSIMILE: 702-782-8362

George W. Abbott, Esq.
Law Offices
2245-B Meridian Boulevard
P.O. Box 98
Minden, NV 89423-0098

**Re: Gerald Armstrong v. Church of Scientology, Int'l. et al.
Case No. CV-N-97-00670 ECR(RAM)
Our File No. 13860-0001**

Dear Sir:

Enclosed for your records is the Stipulated Discovery Plan and Scheduling Order signed by you on behalf of the Plaintiff and myself on behalf of the Defendants (DKT # 39). I direct your attention to the second page of this Order, subpart two, which states, *inter alia*:

Inasmuch as the motions challenge the jurisdiction of the court not only over the subject matter of the lawsuit, but over the defendants personally, defendants submit it would be unduly burdensome to require them to engage in initial disclosures and discovery while the motions are still pending. Indeed, no party has commenced discovery of any kind. While plaintiff, of course, disagrees with defendants['] position as to the merits of the pending motions, plaintiff does agree that disclosure and discovery shall abide decision of the pending motions.

LAS VEGAS OFFICE: 2300 West Sahara Avenue, Eighth Floor, Box 8, Las Vegas, Nevada 89102
(702) 222-2500 or (702) 362-5118 • Facsimile (702) 363-6940
CARSON CITY OFFICE: 777 East William Street, Suite 201, Post Office Box 2620, Carson City, Nevada 89702
(702) 684-6000 • Facsimile (702) 684-6001

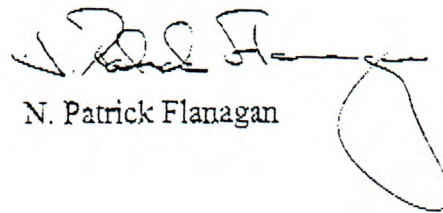
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August 27, 1998
Page 2

Page 3 of the Stipulated Discovery Plan and Scheduling Order bears what appears to be your signature and that of the U.S. Magistrate Judge. I hope that clarifies the issue of a stay of discovery in this case pending resolution of our dispositive motions.

Should you have any other questions in this regard, please do not hesitate to contact me, in writing, at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "N. Patrick Flanagan", with a large, loopy flourish at the end.

N. Patrick Flanagan

NPF:mas

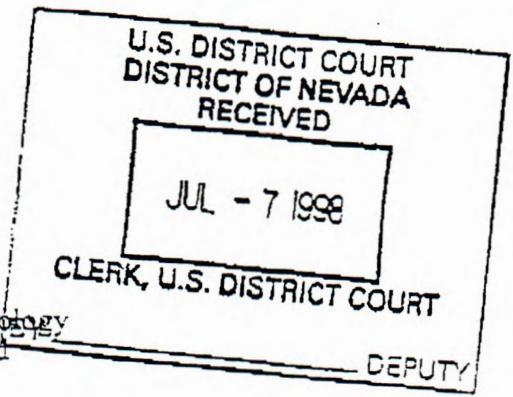
Enclosure

cc: (via facsimile only)
Hon. Robert McQuaid, Jr.
Sandy Rosen

Hale, Lane, Peek, Dennison, Howard, Anderson and Pearl
100 West Liberty Street, 10th Floor
Reno, Nevada 89501

1 N. Patrick Flanagan Esquire
Nevada Bar No. 952
2 Hale Lane Peek Dennison Howard
and Anderson
3 100 West Liberty Street, Tenth Floor
P.O. Box 3237
4 Reno, Nevada 89505
Telephone: (702) 327-3000

5 Attorneys for Defendant Church of
6 Scientology International, Religious Technology
Center, Church of Scientology of Texas and
7 Cathy Norman



8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 GERALD ARMSTRONG,
11 Plaintiff.

CASE NO. CV-N-97-00670 ECR (RAM)

12 vs.

13 STIPULATED DISCOVERY PLAN
AND SCHEDULING ORDER
(Special Scheduling Review Requested)

14 DAVID MISCAVIGE and CATHY
NORMAN, individuals; CHURCH OF
15 SCIENTOLOGY INTERNATIONAL, a
California corporation; the RELIGIOUS
16 TECHNOLOGY CENTER, a California
corporation; the SEA ORGANIZATION,
17 a California based unincorporated entity;
and the CHURCH OF SCIENTOLOGY
18 OF TEXAS, a Texas corporation,

19 Defendants.

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FILED
JUL 7 1998
U.S. DISTRICT COURT
DISTRICT OF NEVADA
RENO

21 The Plaintiff and counsel for Defendants, Church of Scientology International, Religious Technology
22 Center, Cathy Norman and Church of Scientology of Texas, have conducted a conference in accordance
23 with Fed. R. Civ. P. 26(f) and discussed the required topics. Defendants David Miscavige and Sea
24 Organization, not having been served and therefore not having appeared, did not attend the conference.
25 Pursuant to LR 26-1(d) and (e), the parties submit the following Discovery Plan and Scheduling Order:

26 1. Settlement. The parties are not optimistic that this case will be settled in the near future. The
27 parties do not, at this time, request a settlement conference at the Court's earliest convenience to assist in
28 the early resolution of this case.

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100 West Liberty Street, 10th Floor
Reno, Nevada 89501

1 2. Disclosures and Discovery to Abide Court's Resolution of Pending Motions to Dismiss. On
 2 April 20, 1998, Defendants Church of Scientology International, Religious Technology Center, Cathy
 3 Norman and Church of Scientology of Texas filed their Motions to Dismiss Complaint for Lack of Subject
 4 Matter Jurisdiction; lack of Personal Jurisdiction; Improper Venue; and Because Plaintiff is a Fugitive from
 5 Justice. The motions have been fully submitted. The Court has stated that it "has reviewed the said motions
 6 and they appear to be facially well taken." Inasmuch as the motions challenge the jurisdiction of the court
 7 not only over the subject matter of this lawsuit, but over the defendants personally, defendants submit that
 8 it would be unduly burdensome to require them to engage in initial disclosures and discovery while the
 9 motions are still pending. Indeed, no party yet has commenced discovery of any kind. While plaintiff, of
 10 course, disagrees with defendants position as to the merits of the pending motions, plaintiff does agree that
 11 disclosure and discovery shall abide decision of the pending motions. In the event that the motions to
 12 dismiss are denied in whole or in part, the parties shall submit an amended Stipulated Discovery Plan and
 13 Scheduling Order, setting forth specific calendar dates in accordance and consistent with the stipulations
 14 set forth below in this document.

15 3. Initial Disclosures. In the event the motions to dismiss are denied in whole or in part, the
 16 LR 26-1(a)2 Initial Disclosures will be due fifteen (15) days after the date of such order. The parties will
 17 serve the initial disclosures in accordance with Federal Rules of Civil Procedure.

18 4. Discovery Deadline. In the event the motions to dismiss are denied in whole or in part,
 19 discovery shall be completed by 180 days after such order. 13/99

20 5. Limitations on Discovery. In the event the motions to dismiss are denied in whole or in part,
 21 the parties believe that they can complete discovery within the ten deposition limit per side and within the
 22 forty interrogatory limit. Depositions shall be recorded by video graphic and stenographic means.

23 6. Amending Pleadings and Adding Parties. If the motions to dismiss are denied in whole or
 24 in part, the deadline for amending pleadings and adding parties shall be 90 days after such order. 10/98

25 7. Expert Disclosures. If the motions to dismiss are denied in whole or in part, expert
 26 disclosure shall be due no later than 120 days after such order and rebuttal expert disclosure shall be due
 27 no later than 30 days thereafter. 10/98

28 ///

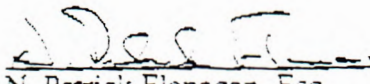
Hale, Lane, Peek, Dennison, Howard, Anderson and Pearl
100 West Liberty Street, 10th Floor
Reno, Nevada 89501

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8. Dispositive Motions. The parties request that the deadline for filing dispositive motions be extended to 30 days after the discovery deadline. 2/15/98

9. Pretrial Order. The parties request that the deadline for filing the Joint Pretrial Order be extended to 30 days after decision of the dispositive motions or further order of the court.

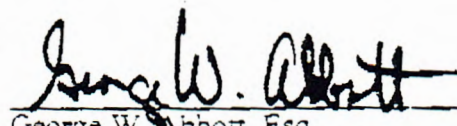
DATED this 6th day of July, 1998.



N. Patrick Flanagan, Esq.
Hale Lane Peek Dennison Howard and Anderson
100 West Liberty Street, 10th Floor
P.O. Box 3237
Reno, Nevada 89505
Telephone: (702) 327-3000

Attorneys for Defendants
Church of Scientology International,
Religious Technology Center,
Church of Scientology of Texas and Cathy Norman

DATED this 8th day of July, 1998.

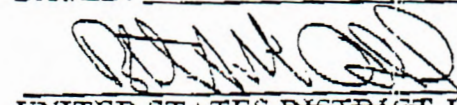


George W. Abbott, Esq.
2245-B Meridian Boulevard
P.O. Box 98
Minden, Nevada 89423
Telephone: (702) 782-2302

Attorney for Plaintiff

IT IS SO ORDERED:

DATED: 7-8-98



UNITED STATES ~~DISTRICT~~ JUDGE
Magistrate